

North Smithfield Zoning Board of Review
May 14, 2013, 7:00 pm
Kendall Dean School
83 Green Street, Slatersville, RI 02876

The Chair called the meeting to order at 7:05 pm.

1. Roll Call

Present: Chair Bill Juhr, Steve Scarpelli, Mario DiNunzio, Paul Pasquariello. Absent: Scott Martin, Vincent Marcantonio. Also present was Building Official Bob Benoit.

2. Disclosure of no compensation or pension credits received by the board members.

3. Approval of minutes, April 23, 2013.

Mr. Scarpelli made a motion to approve the minutes of April 23, 2013. Mr. DiNunzio seconded the motion, with all in favor.

4. Approval of the written decision for the application of Ocean State Development (John McCarthy and John Solomon, Jr.) for a dimensional variance per section 6.17.6, subsection D. Locus is 594 Great Road, Plat 5, Lots 61 & 297. Zoning District: BN.

Mr. Scarpelli made a motion to approve the written decision for the application of Ocean State Development (John McCarthy and John Solomon, Jr.) for a dimensional variance per section 6.17.6, subsection D. Mr. DiNunzio seconded the motion. Roll call vote was as follows: YES: Mr. Juhr, Mr. Scarpelli, Mr. DiNunzio, Mr. Pasquariello. Motion passed, with a vote of 4-0.

5. Approval of the written decision for the application of Anthony Medeiros for a dimensional variance per section 5.5 "District Dimensional Regulations," subsection 5.5.1. Locus is 159 Sayles Hill Road, Plat 17, Lot 183. Zoning District: RS-40.

Mr. Scarpelli made a motion to approve the written decision for the application of Anthony Medeiros for a dimensional variance per section 5.5 "District Dimensional Regulations," subsection 5.5.1. Mr. DiNunzio seconded the motion. Roll call vote was as follows: YES: Mr. Juhr, Mr. Scarpelli, Mr. DiNunzio, Mr. Pasquariello. Motion passed, with a vote of 4-0.

6. Approval of the written decision for the application of Anthony and Elaine Pontarelli, for relief from section 5.6.2 and a dimensional variance from section 5.5, "District Dimensional Regulations," subsection 5.5.1, residential district. Locus is McCann Street, Plat 1, Lot 275. Zoning District: RS-40.

Mr. Scarpelli made a motion to approve the written decision for the application of Anthony and Elaine Pontarelli, for relief from section 5.6.2 and a dimensional variance from section 5.5, "District Dimensional Regulations," subsection 5.5.1, residential district. Mr. DiNunzio seconded the motion. Roll call vote was as follows: YES: Mr. Juhr, Mr. Scarpelli, Mr. DiNunzio, Mr. Pasquariello. Motion passed, with a vote of 4-0.

7. Continued application of Ed Construction, Inc. (Edward Whipple), requesting a two-family dwelling, per section 5.4.2, subsection 3 of the Zoning Ordinance, which requires the granting of a special use permit. Locus is 519 Douglas Pike, Plat 18, Lot 29. Zoning District: RA-65.

The applicant, Edward Whipple, was present and asked for a continuation of the hearing. He has submitted septic system plans to the state and is currently waiting to hear if the plans have been approved or if they have any comments. He asked for another month to prepare his application.

The Chair asked if the DEM approval was needed in order to begin construction. Mr. Whipple stated that the DEM approval is holding up the process. Mr. Pasquariello asked if there was anyone in town that Mr. Whipple could meet with before the hearing to get the process moving along while waiting for the DEM approval. The Chair stated that applicants have the choice of whether to go to the Planning Board or the Zoning Board and recommended that the applicant speak with Mr. Benoit about the criteria for the granting of a Special Use Permit.

Mr. Scarpelli made a motion to continue the hearing for the application of Ed Construction, Inc. until June 25, 2013. Mr. DiNunzio seconded the motion, with all in favor.

The Chair informed the Board that this is the last meeting for the current clerk. He stated that he had emailed the Town Administrator and Town Council Chair about the status of hiring a replacement but had received no reply. He expressed his concern about whether the Board could operate without a fully trained clerk, as it is already difficult for the Chair to make time for writing decisions. He stated that he has no training in decision writing and believes that an attorney should write the decision so that it will hold up if challenged in Superior Court. He added that without a secretary, the Board will need to charge the Town for the stenographer's transcript.

Mr. Scarpelli made a motion to adjourn at 7:23 pm. Mr. Pasquariello seconded the motion, with all in favor.